

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 2306	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____	Application Number 10/659,822		Filed September 11, 2003
	First Named Inventor Delker		
	Art Unit 2617	Examiner Michael T. Vu	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>41,962</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			


Signature

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February 16, 2007
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 2306)

In the Application of:)	
)	
Jason Delker and)	
John Everson)	Art Unit: 2617
)	
Serial No.: 10/659,822)	Examiner: Michael T. Vu
)	
Filed: September 11, 2003)	Confirmation No. 5940
)	
For: Method and System For Managing)	
Multiple Directory Numbers For A)	
Mobile Station)	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REASONS FOR REVIEW OF FINAL REJECTION

Applicants request review of the final rejection mailed on October 18, 2006, because the Examiner has clearly erred in rejecting the claims under § 103(a).

1. The Claimed Invention

Applicants' claims (of which claims 1, 9, and 14 are independent) are directed to methods and systems for managing a plurality of directory numbers for a mobile station, the plurality of directory numbers including at least a first directory number and a second directory number. These claims all recite, in one way or another, the use of an identifier code that is associated with the first directory number:

- Claim 1 is directed to a method in which an identifier code recognized by the mobile station is used to indicate that the first directory number is being called.
- Claim 9 is directed to a system in which a call connection system stores, externally to the mobile station, an association between the first directory number and an identifier code recognized by the mobile station.
- Claim 14 is directed to a method in which an identifier code is used by the mobile station to indicate call origination from the first directory number.

2. Status of the Claims

Claims 1-18 are currently pending. All of the pending claims stand rejected under § 103(a) as being unpatentable over Sasano, U.S. Patent No. 5,875,240 (“Sasano”) in combination with one or more other references.

3. The Examiner’s Clear Error

The Response After Final, filed December 15, 2006, explained in detail why the claim rejections set forth in the Final Office Action, mailed October 18, 2006, are clearly erroneous. The Examiner responded with an Advisory Action, mailed January 24, 2007. However, the Advisory Action did not adequately address the errors described in the Response After Final. Therefore, Applicants now seek a Pre-Appeal Brief Conference. The panel is respectfully requested to refer to the Response After Final for a complete explanation of the numerous errors in the Final Office Action. The highlights are summarized below.

a. Claims 1-8

The Response After Final (*see* pages 2-4) showed how the Sasano/Silverman combination that the Examiner used to reject claim 1 failed to teach *four* of the elements recited in claim 1. The Advisory Action fails to adequately address these deficiencies:

- **Sasano/Silverman fails to teach a “method of managing a plurality of directory numbers for a mobile station.”** The Response After Final noted that Sasano’s system used only a single digital subscriber line with only a single telephone number (col. 9, lines 34-37; col. 10, lines 16-18) and asked: “Given that Sasano’s system uses only a *single* directory number, what is the basis for the Examiner’s position that Sasano teaches a method of managing a *plurality* of directory numbers for a communication terminal?” The Advisory Action, however, does not answer this question.
- **Sasano/Silverman fails to teach “associating said first directory number with an identifier code.”** The Response After Final explained how the association in Sasano between the *caller’s* telephone number and called party’s sub-address, on which the Examiner relies, does not correspond to the association of claim 1 because the “first directory number” is the *called* number, not the *caller’s* number. The Advisory Action did not address this point.
- **Sasano/Silverman fails to teach “transmitting a query to a call control system, said query identifying said first directory number.”** The Advisory Action essentially admits that Sasano/Silverman fails to teach this element because the Examiner has relied on Zimmerman, without showing the required motivation to combine. *See* Advisory Action, p. 3. In any event, the use of Zimmerman creates a new ground of rejection because claim 1 actually stands rejected based on Sasano/Silverman. *See* Final Office Action, pp. 5-6.
- **Sasano/Silverman fails to teach “transmitting over an air interface a first message to said mobile station, said first message including said identifier code.”** The Response After Final explained how the “abbreviated codes” disclosed in Silverman, which the

Examiner has alleged correspond to the “identifier code” are not recognized by the mobile station, as required by claim 1. The Advisory Action does not address this point.

b. Claims 9-18

The Response After Final (*see* pages 4-6) demonstrated that the rejections of independent claims 9 in 14 in the Final Office Action do not even mention many of the elements recited in these claims. By ignoring this claim language, the Examiner has failed to establish a *prima facie* case of obviousness: “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *See* MPEP § 2143.03. Nonetheless, the Advisory Action did not address these clear deficiencies in the rejections of claims 9 and 14.

4. Conclusion

For the foregoing reasons, Applicants submit that the Examiner’s rejections of the pending claims are clearly erroneous and that all of the pending claims should be allowed

Respectfully submitted,

Dated: February 16, 2007

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